IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.2691 of 2008
KRISHNA MAHTO
Versus
THE STATE OF BIHAR
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2 14.08.2008 The case is under Section 364(A) of the Indian Penal Code.

Heard

Petitioner's prayer for bail was earlier rejected twice by this Court, vide orders dated 6th July 2005 under Cr.Misc.No. 14290 of 2005 and 20th October 2006 under Cr.Misc.No.42039 of 2006 on the grounds as particularly detailed in the order dated 6th July 2005 that the informant has named the petitioner alleging that his son Ajay Mahto disappeared and in the next morning, he learnt that the petitioner and co-accused Santosh had kidnapped him on a motor-cycle and that in the statement of the victim boy as recorded in Para-47 of the case diary, petitioner was specifically named as among the kidnappers and there was further statement that the petitioner had administered a tablet to the victim asking him to take it with water and that when the victim took it, he became unconscious and in the next morning on gaining consciousness, he found himself in a room where he found other accused persons also on guard and that they told the victim that he would be released on payment of ransom money of Rupees two lacs and that after keeping the victim in confinement for about a month , the accused persons released him. It was also considered in the previous order that the petitioner had confessed before the Police that he had committed the crime. To-day no fresh ground has been shown, excepting that the petitioner is in custody

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since 16th October 2004. But the learned A.P.P. submits that the case has already been committed and the trial is to proceed accordingly.

In view of the facts and c circumstances as above, I do not feel inclined to allow bail to the petitioner. Hence, his prayer for bail is reject ed.

Jay/ **(C.M.Prasad,J)**

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